

Jones, Christopher M

From: Saad, Lindsey M.
Sent: Friday, December 23, 2016 2:23 PM
To: David Sims; Jones, Christopher M
Subject: RE: Harris
Attachments: Protective Order - Final (C2709565x7A389).docx

David,

I'm sorry I missed your return call earlier. I have reviewed the revisions to the protective order that you made to our draft, and those look fine. I have removed the highlighting and attached the final draft. With your permission to sign electronically on your behalf, we will file that with the Court.

As to the other matter, as set forth in the Order, we argued in our motion that "prior to eliciting the aforementioned expert testimony from Dr. Pelts, plaintiff should be required to produce Dr. Pelts's entire file including, but not limited to, all medical and administrative records" and "[t]he Court agree[d]." The Court Order plainly states that plaintiff is "**ORDERED** to produce Dr. Pelts's entire file for Evan M. Harris, including all medical and administrative records, releases, and agreements." The Court Order is clear that Plaintiff was to produce the *entire file* for Evan Harris, and it was not limited to Evan Harris's medical chart. In fact, the Order encompasses many records beyond Evan Harris's medical chart, e.g. medicare documents, insurance documents, communication forms, correspondence, etc. All of these documents related to Evan Harris would be in Dr. Pelts's possession and part of Dr. Pelts's file.

According to your correspondence, you did not even request Dr. Pelts's entire file. Because of the clarity of the Court's order, the urgency of this matter, and the prejudice that our clients will suffer, we cannot grant you an extension. Chris and I will have limited availability next week while dealing with other case matters, so it is imperative that we receive these today.

Lindsey M. Saad

Flaherty

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From: David Sims [<mailto:david.sims@mywvlawyer.com>]
Sent: Friday, December 23, 2016 1:59 PM
To: Saad, Lindsey M.; Jones, Christopher M
Subject: Harris

Lindsey and Chris:

I tried to return your call. I am not certain why my phone didn't ring when you called me. I left you a voicemail message.

I was trying to reach you and Chris to discuss the proposed changes I made to the Protective Order to see if you would agree to them. The second issue is the billing records. I don't have them. I didn't anticipate your wanting them. The documents that were signed for Evan's billing and insurance information were attached to the response I filed to the Motion. They were signed by his Mom. I can have them for you by noon on Tuesday.

Please let me know what your thoughts are on these things.

David